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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. 015631007110

First Inventor

MURPHY, ERIN E., et. al.

Title

MAMMALIAN GENES; RELATED REAGENTS

Express Mail Label No.

EL 769991012 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning design patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 111]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☐ Drawing(s) (35 U.S.C.113) [Total Sheets 6]
5. Oath or Declaration [Total Pages 6]
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)
  - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

## ADDRESS TO

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☒ paper number of pages 84-110
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATIONS PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. §3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

CLICK

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No: 09/351,777 / 07/12/99

Prior application information:

Examiner E. O HARA

Group Art Unit: 1646

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

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or ☐ Correspondence address below

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Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Frank J. Mycroft

Registration No. (Attorney/Agent)

46946

Signature

*Frank J. Mycroft*

Date

*April 23, 2001*

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**DNAX RESEARCH INSTITUTE**

901 California Avenue  
Palo Alto, CA 94304-1104  
(650) 852-9196

**ASSISTANT COMMISSIONER FOR PATENTS**  
Box: Patent Application  
Washington, D. C. 20231

Honorable Sir:

Transmitted herewith for filing under 37 CFR 1.53(b) is the:  
☒ patent application, ☐ continuation patent  
application, ☐ divisional patent application  
☐ continuation-in-part (CIP) patent application of:

**MAMMALIAN GENES; RELATED  
REAGENTS**

**Inventors: Erin E. Murphy, Jeanine D. Mattson, Elizabeth Esther Mary Bates, Daniel M. Gorman  
and Serge J.E. Lebecque**

1. ☒ This application claims priority from each of the following Application Nos./filing dates:  
United States Provisional Patent Application No. 60/099,999, filed September 11, 1998.  
United States Provisional Patent Application No. 60/093,897, filed July 23, 1998.  
United States Provisional Patent Application No. 60/092,658, filed July 13, 1998.

2. ☐ Please amend the specification by replacing the first paragraph with the following:

3. Enclosed are:

☒ RETURN RECEIPT POSTCARD

☒ PATENT APPLICATION TRANSMITTAL EL 263 586 565 US: 1 Page (in duplicate)

☒ DECLARATION BY INVENTORS/POWER OF ATTORNEY: 3 Pages: ☐ Signed ☒ Unsigned

☒ PATENT APPLICATION TITLE PAGE: 1 Page (unnumbered)

☒ SPECIFICATION: 76 Pages: 1 through 76

☒ CLAIMS (20 claims): 7 Pages: 77 through 83

☒ SEQUENCE LISTING: 27 Page(s): 84 through 110

☐ -0- sheet(s) of ☐ formal ☐ informal drawing(s)

☒ ABSTRACT: 1 Page: not numbered

☒ Sequence Transmittal (2 pages), diskette and paper print-out (27 pages)

**In view of the Unsigned Declaration as filed with this application  
and pursuant to 37 CFR § 1.53(d), Applicant requests deferral of  
the filing fee until submission of the Missing Parts of Application.**

Please charge DNAX Deposit Account No. 04-1239 as follows:

☒ Any additional fees associated with this paper or during the  
pendency of this application

-two- copies of this sheet are enclosed.

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Date of Deposit: July 12, 1999

Atty. Docket No.: SF0818K

I hereby certify that this is being deposited with the United States  
Postal Service "Express Mail Post Office to Addressee" service  
under 37 CFR 1.10 on the date indicated above and is addressed  
to the Commissioner of Patents and Trademarks, Box: Patent  
Application, Washington, D. C. 20231.

By Lois E. Miller July 12, 1999  
Lois E. Miller July 12, 1999

Respectfully submitted,  
DNAX RESEARCH INSTITUTE

Edwin P. Ching  
Edwin P. Ching  
Reg. No. 34,090

July 12, 1999  
July 12, 1999



# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

Complete if Known

Application Number  
Filing Date  
First Named Inventor MURPHY, ERIN E., et al.  
Examiner Name  
Group Art Unit  
Attorney Docket No. 015631007110

TOTAL AMOUNT OF PAYMENT (\$ 710

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

20-1430

Deposit  
Account  
Name

Townsend and Townsend and Crew LLP

- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money  
Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	710
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)

(\$ 710

### 2. EXTRA CLAIM FEES

	Total Claims	Extra Claims	Fee from below	Fee Paid
	20	-20**	0	0
Independent Claims	3	-3**	0	0
Multiple Dependent				

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 0

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 0

The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type) FRANK J. MYCROFT Registration No. Attorney/Agent 48,948 Telephone 415/576-0200  
Signature Frank J. Mycroft Date April 23, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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